REMARKS

I. Introduction

Claims 1-5 are currently pending. Claim 1 has been amended to incorporate the elements of cancelled claims 6 and 7. Claim 2 has been amended, support for which is found throughout the specification, for example, in paragraph [0019]. Furthermore, claims 1-5 have been amended to correct grammatical errors and to positively recited the subject matter claimed. No new matter has been added.

In view of the foregoing amendments and for the following reason, Applicants respectfully submit that the claims are allowable and the is in condition for allowance.

II. Claim Objections

Claims 1, 3 and 4 were objected to for containing informalities. Applicants submit that the foregoing amendments to the claims obviate these objections. Therefore, withdrawal of the claim objections and allowance of the claims is requested.

III. Claim Rejections under 35 U.S.C. § 112, second paragraph

Claims 1-7 were rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite for failing to point out and distinctly claim the subject matter regarded as the invention. Applicants respectfully submit that the amendments to the claims render this rejection moot and therefore, the claims comply with 35 U.S.C. § 112. Thus, withdrawal of the rejection and allowance of the claims in requested.

IV. Claim Rejections under 35 U.S.C. § 102(b)

Claim 2 was rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Nojima (U.S. 5,764,139). Applicants disagree.

However, in an effort to expedite prosecution, claim 2 has been amended and now recites, a method including the steps of, "combining the first display image and the second display image by a transmissive reflecting member, **directly** receiving the combined first and second image by a concave mirror member from the transmissive reflecting member and, reflecting the combined first and second image by the concave mirror member to the user."

As explained in the specification, for example, in paragraph [0019], with reference to FIG. 3, the transmissive reflecting member (3) combines the first display image (17) and the second display image (24), (see FIG. 6). The combined first and second image are directly received and then reflected by a concave mirror (4) to the user.

It is well established that anticipation under 35 U.S.C. § 102 requires that "all of the elements and limitations of the claim must be shown in a single prior reference, arranged as in the claim". *In re Buszard*, 504 F.3d 1364, (Fed Cir. 2007). At a minimum, Nojima fails to disclose a method steps of "combining the first display image and the second display image by a transmissive reflecting member, directly receiving the combined first and second image by a concave mirror member from the transmissive reflecting member and, reflecting the combined first and second image by the concave mirror member to the user," as recited in amended claim 2.

In contrast, Nojima discloses neither a transmissive reflecting member or a concave mirror (missing structural elements), as recited in amended claim 2. Therefore, it is clear that

Nojima fails to disclose all of the elements of claim 2. Accordingly, it is respectfully submitted that claim 2 is allowable over the cited prior art references.

V. Claim Rejections under 35 U.S.C. § 103(a)

Claims 1 and 3-7 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hegg et al. (U.S. 5,121,099) in view of Nojima (U.S. 6,499,852) and further in view of Kino (U.S. 6,499,852) Applicants respectfully disagree.

However, in an effort to expedite prosecution, claim 1 has been amended and now recites, in pertinent part, "further comprising a concave surface mirror member that ***directly receives the combined first and second display images from the transmissive reflecting member*** and reflects the combined images to the user."

This configuration is shown, for example in FIG. 3, which shows that concave surface mirror member (4) directly receives the combined first (17) and second (24) display images from the transmissive reflecting member (3) and reflect the combined images to the user.

At a minimum, in contrast, Hegg does not teach or suggest a configuration in which a concave surface mirror directly receives the combined first and second display images from the transmissive reflecting member and reflecting the combined images to the user. Rather, Hegg requires an intermediary *convex* mirror (15) between planar combiner (13) and mirror (17) before any images are seen by the observer (see FIG. 1). As such, Hegg fails to teach or suggest all of the elements of amended claim 1.

Furthermore, both Nojima and Kino fails to cure the deficiencies of Hegg, at least because neither Nojima nor Kino teach or suggest any mirrors or reflecting members, as recited in claim 1. Therefore, it is clear that none of the cited prior art references, either alone or in

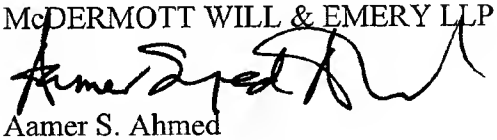
combination, teach or suggest all of the elements of amended claim 1. Accordingly, it is respectfully submitted that claim 1 is allowable. Furthermore, claims 3-5 depend from and further define the subject matter of claim 1 and therefore are also allowable.

In view of the above amendments and remarks, Applicants submit that the amendments should be entered, this application should be allowed and the case be passed to issue. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Aamer S. Ahmed
Registration No. 58,958

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 ASA:MWE
Facsimile: 202.756.8087
Date: October 6, 2009

Please recognize our Customer No. 20277 as our correspondence address.